

IC 4-21.5

ARTICLE 21.5. ADMINISTRATIVE ORDERS AND PROCEDURES

IC 4-21.5-1

Chapter 1. Definitions

IC 4-21.5-1-1

Application

Sec. 1. The definitions in this chapter apply throughout this article.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-1-2

"Administrative law judge"

Sec. 2. "Administrative law judge" refers to an individual or panel of individuals acting in the capacity of an administrative law judge in a proceeding.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-1-3

"Agency"

Sec. 3. "Agency" means any officer, board, commission, department division, bureau, or committee of state government that is responsible for any stage of a proceeding under this article. Except as provided in IC 4-21.5-7, the term does not include the judicial department of state government, the legislative department of state government, or a political subdivision.

As added by P.L.18-1986, SEC.1. Amended by P.L.41-1995, SEC.1.

IC 4-21.5-1-4

"Agency action"

Sec. 4. "Agency action" means any of the following:

- (1) The whole or a part of an order.
- (2) The failure to issue an order.
- (3) An agency's performance of, or failure to perform, any other duty, function, or activity under this article.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-1-5

"Court"

Sec. 5. "Court" means a circuit or superior court responsible for taking any action under this article.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-1-6

"Final agency action"

Sec. 6. "Final agency action" means:

- (1) the entry of an order designated as a final order under this article; or

(2) any other agency action that disposes of all issues in a proceeding for all parties after the exhaustion of all available administrative remedies concerning the action.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-1-7

"Law"

Sec. 7. "Law" means the federal or state constitution, any federal or state statute, a rule of an agency, or a federal regulation.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-1-8

"License"

Sec. 8. "License" means a franchise, permit, certification, approval, registration, charter, or similar form of authorization required by law.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-1-9

"Order"

Sec. 9. "Order" means an agency action of particular applicability that determines the legal rights, duties, privileges, immunities, or other legal interests of one (1) or more specific persons. The term includes:

(1) a license; or

(2) a determination under IC 4-21.5-3-6(a)(3) or IC 4-21.5-3-6(a)(4).

As added by P.L.18-1986, SEC.1. Amended by P.L.42-1995, SEC.1.

IC 4-21.5-1-10

"Party"

Sec. 10. "Party" means:

(1) a person to whom the agency action is specifically directed;

or

(2) a person expressly designated in the record of the proceeding as a party to the proceeding.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-1-11

"Person"

Sec. 11. "Person" means an individual, agency, political subdivision, partnership, corporation, limited liability company, association, or other entity of any character.

As added by P.L.18-1986, SEC.1. Amended by P.L.8-1993, SEC.27.

IC 4-21.5-1-12

"Political subdivision"

Sec. 12. "Political subdivision" has the meaning set forth in IC 36-1-2-13.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-1-13**"Proceeding"**

Sec. 13. "Proceeding" refers to a proceeding under this article.
As added by P.L.18-1986, SEC.1.

IC 4-21.5-1-14**"Rule"**

Sec. 14. "Rule" means the whole or any part of an agency statement of general applicability that:

- (1) has or is designed to have the effect of law; and
- (2) implements, interprets, or prescribes:
 - (A) law or policy; or
 - (B) the organization, procedure, or practice requirements of an agency.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.1.

IC 4-21.5-1-15**"Ultimate authority"**

Sec. 15. "Ultimate authority" means an individual or panel of individuals in whom the final authority of an agency is vested by law or executive order.

As added by P.L.18-1986, SEC.1.